

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** Chairman Bob Lake, on April 8, 2009 at 9:00 A.M.,  
in Room 152 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Bob Lake, Chairman (R)  
Rep. Jill Cohenour, Vice Chairman (D)  
Rep. Janna Taylor, Vice Chairman (R)  
Rep. Dick Barrett (D)  
Rep. Mark Blasdel (R)  
Rep. Edward B. Butcher (R)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Brian Hoven (R)  
Rep. Mike Jopek (D)  
Rep. Dave McAlpin (D)  
Rep. Mike Miller (R)  
Rep. Art Noonan (D)  
Rep. JP Pomnichowski (D)  
Rep. Lee Randall (R)  
Rep. J. David Roundstone (D)  
Rep. Jon Sonju (R)  
Rep. Wayne Stahl (R)  
Rep. Brady Wiseman (D)

**Members Excused:** Rep. Chas Vincent (R)

**Members Absent:** None

**Staff Present:** Jeff Martin, Legislative Branch  
Jennifer O'Loughlin, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: None

Executive Action: HJ 32, SB 241, SB 244, SB 245, SB  
260, SB 264, SB 377, SB 418,  
SB 465, SB 467, SB 489, SB 490,  
SB 499, SB 503, SB 507, SB 509,  
SB 510

**EXECUTIVE ACTION ON SB 260**

00:02:55 **Motion:** Rep. Taylor moved that **SB 260 BE CONCURRED IN.**

00:04:03 **Motion:** Rep. Noonan moved that **SB 260 BE AMENDED.**  
**EXHIBIT**(tah77a01)

**Discussion:**

00:04:14 Rep. Noonan

00:04:24 Rep. Cohenour left the room.

00:04:55 Mr. Martin, Legislative Services Division

00:05:04 **Vote:** Motion carried 18-2 by voice vote with Rep.  
Butcher and Rep. Stahl voting no. Rep. Cohenour and  
Rep. Vincent voted by proxy.

00:05:45 **Motion:** Rep. Taylor moved that **SB 260 BE CONCURRED IN**  
**AS AMENDED.**

**Discussion:**

00:06:00 Rep. Wiseman

00:07:57 Rep. Butcher

00:09:05 Rep. Noonan

00:10:29 **Vote:** Motion carried 19-1 by roll call vote with Rep.  
Butcher voting no. Rep. Cohenour and Rep. Vincent voted  
by proxy. Rep. Noonan will carry the bill.

**EXECUTIVE ACTION ON SB 509**

00:13:00 **Motion:** Rep. Taylor moved that **SB 509 BE CONCURRED IN.**

00:14:01 **Motion:** Rep. Taylor moved that **SB 509 BE AMENDED.**  
**EXHIBIT**(tah77a02)

**Discussion:**

00:14:15 Mr. Martin

00:15:20 **Vote:** Motion carried unanimously by voice vote. Rep. Cohenour and Rep. Vincent voted by proxy.

00:15:38 **Motion/Vote:** Rep. Taylor moved that **SB 509 BE CONCURRED IN AS AMENDED**. Motion carried 11-9 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting no. Rep. Cohenour and Rep. Vincent voted by proxy. Rep. Hoven will carry the bill.

**EXECUTIVE ACTION ON HJ 32** (first vote - second vote, p. 12)

00:19:22 **Motion:** Rep. McAlpin moved that **HJ 32 DO PASS**.

00:20:13 **Motion:** Rep. McAlpin moved that **HJ 32 BE AMENDED**. [EXHIBIT](#)(tah77a03)

**Discussion:**

00:20:27 Mr. Martin

00:21:28 **Vote:** Motion carried unanimously by voice vote. Rep. Cohenour and Rep. Vincent voted by proxy.

00:21:48 **Motion/Vote:** Rep. McAlpin moved that **HJ 32 DO PASS AS AMENDED**. Motion failed 10-10 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. Jopek, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting aye. Rep. Cohenour and Rep. Vincent voted by proxy.

**EXECUTIVE ACTION ON SB 510**

00:24:46 **Motion/Vote:** Rep. McAlpin moved that **SB 510 BE TABLED**. Motion carried 16-2 by voice vote with Rep. Butcher and Rep. Stahl voting no.

**EXECUTIVE ACTION ON SB 489**

00:26:22 **Motion:** Rep. McAlpin moved that **SB 489 BE CONCURRED IN.**

00:26:56 **Motion:** Rep. Stahl moved that **SB 489 BE AMENDED.**  
**EXHIBIT**(tah77a04)

**Discussion:**

00:27:14 Mr. Martin  
00:29:41 Rep. Stahl  
00:32:26 Rep. McAlpin

00:32:57 **Vote:** Motion failed 3-17 by roll call vote with Rep. Lake, Rep. Stahl, and Rep. Vincent voting aye. Rep. Cohenour and Rep. Vincent voted by proxy.

00:34:53 Mr. Martin

00:35:31 **Motion:** Rep. Taylor moved that **SB 489 BE AMENDED.**  
**EXHIBIT**(tah77a05)

**Discussion:**

00:35:45 Mr. Martin

00:36:18 **Vote:** Motion failed 2-18 by voice vote, with Rep. Vincent and Rep. Cohenour voting aye. Rep. Cohenour and Rep. Vincent voted by proxy.

00:36:48 **Motion/Vote:** Rep. Taylor moved that **SB 489 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by roll call vote. Rep. Vincent voted by proxy. Rep. Lake will carry the bill.

**EXECUTIVE ACTION ON SB 264**

00:39:00 **Motion:** Rep. Taylor moved that **SB 264 BE CONCURRED IN.**

**Discussion:**

00:39:29 Rep. Cohenour  
00:39:42 Chairman Lake  
00:40:01 Rep. Stahl  
00:40:04 Chairman Lake  
00:40:24 Rep. Cohenour

00:40:42 Rep. Stahl  
00:41:01 Rep. Sonju  
00:41:31 Rep. Barrett

00:42:15 **Vote:** Motion carried 18-2 by voice vote with Rep. Blasdel and Rep. Stahl voting no. Rep. Vincent voted by proxy. Rep. Taylor will carry the bill.

#### **EXECUTIVE ACTION ON SB 377**

00:43:33 **Motion:** Rep. Taylor moved that **SB 377 BE CONCURRED IN.**

#### **Discussion:**

00:43:44 Rep. Wiseman  
00:44:12 Rep. Taylor  
00:45:01 Rep. Barrett  
00:45:15 Rep. Stahl  
00:46:24 Rep. Hoven  
00:47:03 Rep. Butcher  
00:48:32 Rep. Taylor  
00:48:56 Rep. Barrett

00:49:26 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Jopek, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

#### **EXECUTIVE ACTION ON SB 418**

00:51:45 **Motion:** Rep. Cohenour moved that **SB 418 BE CONCURRED IN.**

00:53:40 **Motion:** Rep. Sonju moved that **SB 418 BE AMENDED.**  
**EXHIBIT (tah77a06)**

#### **Discussion:**

00:53:52 Mr. Martin  
00:55:11 Chairman Lake  
00:55:26 Rep. Cohenour

00:55:43 **Vote:** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

00:55:59 **Motion/Vote:** Rep. Cohenour moved that **SB 418 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Vincent voted by proxy. Rep. Cohenour will carry the bill.

**EXECUTIVE ACTION ON SB 465**

00:57:33 **Motion:** Rep. Taylor moved that **SB 465 BE CONCURRED IN**.

00:58:23 **Motion:** Rep. Stahl moved that **SB 465 BE AMENDED**.  
[EXHIBIT](#)(tah77a07)

**Discussion:**

00:58:49 Mr. Martin  
00:59:06 Rep. Stahl  
01:03:50 Rep. Cohenour  
01:04:08 Rep. McAlpin  
01:04:21 Rep. Barrett

01:04:53 **Vote:** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

01:05:19 **Motion:** Rep. Cohenour moved that **SB 465 BE CONCURRED IN AS AMENDED**.

01:05:31 **Motion:** Rep. Taylor moved that **SB 465 BE AMENDED**.  
[EXHIBIT](#)(tah77a08)

**Discussion:**

01:05:44 Rep. Taylor  
01:06:01 Mr. Martin  
01:07:00 Rep. Cohenour  
01:07:10 Chairman Lake

01:07:22 **Vote:** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

01:07:42 **Motion/Vote:** Rep. Cohenour moved that **SB 465 BE CONCURRED IN AS TWICE AMENDED**. Motion carried unanimously by voice vote. Rep. Vincent voted by proxy. Rep. Cohenour will carry the bill.

**EXECUTIVE ACTION ON SB 507**

01:09:32 **Motion:** Rep. Taylor moved that **SB 507 BE CONCURRED IN.**

01:09:49 **Motion:** Rep. Taylor moved that **SB 507 BE AMENDED.**  
**EXHIBIT**(tah77a09)

**Discussion:**

01:10:06 Mr. Martin

01:12:22 **Vote:** Motion carried unanimously by voice vote. Rep.  
Vincent voted by proxy.

01:12:34 **Motion:** Rep. Taylor moved that **SB 507 BE CONCURRED IN**  
**AS AMENDED.**

**Discussion:**

01:13:01 Mr. Martin

01:13:17 Rep. Barrett

01:14:31 Mr. Martin

01:14:35 Rep. Barrett

01:15:13 Mr. Martin

01:16:05 **Motion:** Rep. Barrett moved that **SB 507 BE AMENDED.**  
**EXHIBIT**(tah77a10)

**Discussion:**

01:19:11 Rep. Taylor

01:19:24 Rep. Barrett

01:20:23 Rep. McAlpin

01:20:36 **Vote:** Motion carried 19-1 by voice vote with Rep.  
Taylor voting no. Rep. Vincent voted by proxy.

01:21:02 **Motion:** Rep. Cohenour moved that **SB 507 BE CONCURRED**  
**IN AS TWICE AMENDED.**

01:21:18 **Motion:** Rep. Barrett moved that **SB 507 BE AMENDED.**  
**EXHIBIT**(tah77a11)

**Discussion:**

01:22:00 Rep. Barrett

01:23:15 Rep. Wiseman

01:23:56 Rep. Barrett  
01:24:30 Chairman Lake  
01:25:04 Rep. Cohenour  
01:25:46 Rep. Taylor

01:26:15 **Vote:** Motion failed 10-10 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. Jopek, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting aye. Rep. Vincent voted by proxy.

01:28:47 **Motion:** Rep. Stahl moved that **SB 507 BE AMENDED. EXHIBIT (tah77a12)**

01:28:59 Rep. Stahl  
01:30:50 Rep. Cohenour  
01:31:25 Rep. Miller  
01:31:38 Rep. Stahl  
01:33:37 Rep. Miller  
01:33:40 Rep. Stahl  
01:33:45 Rep. Pomnichowski  
01:35:00 Rep. Hamilton  
01:35:16 Mr. Martin  
01:35:33 Rep. Stahl  
01:37:26 Rep. Barrett  
01:38:03 Rep. Pomnichowski  
01:38:58 Rep. Barrett  
01:39:05 Rep. Noonan left the room.  
01:39:20 Rep. Pomnichowski  
01:40:12 Rep. Cohenour  
01:41:44 Rep. Barrett  
01:42:43 Chairman Lake

01:42:56 **Vote:** Motion carried 19-1 by voice vote with Rep. Pomnichowski voting no. Rep. Noonan and Rep. Vincent voted by proxy.

01:43:21 **Motion/Vote:** Rep. Cohenour moved that **SB 507 BE CONCURRED IN AS THRICE AMENDED.** Motion carried unanimously by voice vote. Rep. Noonan and Rep. Vincent voted by proxy. Rep. Barrett will carry the bill.



**EXECUTIVE ACTION ON SB 245**

01:44:35 **Motion:** Rep. Taylor moved that **SB 245 BE CONCURRED IN.**

**Discussion:**

01:44:54 Rep. Cohenour

01:45:55 Rep. Taylor

01:47:08 Rep. Barrett

01:48:06 Rep. Miller

01:49:12 Rep. Hoven

01:49:41 Rep. Jopek

01:49:56 **Vote:** Motion failed 8-12 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Taylor, and Rep. Vincent voting aye. Rep. Noonan and Rep. Vincent voted by proxy.

01:51:50 **Motion/Vote:** Rep. Wiseman moved that **SB 245 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Noonan and Rep. Vincent voted by proxy.

**EXECUTIVE ACTION ON SB 467**

01:52:22 **Motion:** Rep. Sonju moved that **SB 467 BE CONCURRED IN.**

01:53:22 **Motion:** Rep. Wiseman moved that **SB 467 BE AMENDED.**  
**EXHIBIT** (tah77a13)

**Discussion:**

01:53:39 Rep. Wiseman

01:54:56 Rep. Taylor

01:55:19 Rep. Wiseman

01:55:37 Ronda Wiggers, Montana County Treasurers

00:56:01 Rep. Stahl left the room.

01:56:23 Rep. Wiseman

01:56:37 Rep. Hamilton

01:56:53 **Vote:** Motion carried unanimously by voice vote. Rep. Noonan, Rep. Stahl, and Rep. Vincent voted by proxy.

01:57:12 Rep. Wiseman

01:57:21 **Motion:** Rep. Taylor moved that **SB 467 BE CONCURRED IN AS AMENDED.**

01:57:27 Rep. Stahl returned to the room.

01:57:36 **Vote:** Motion carried unanimously by voice vote. Rep. Noonan and Rep. Vincent voted by proxy. Rep. Wiseman will carry the bill.

**EXECUTIVE ACTION ON SB 499**

01:58:54 **Motion:** Rep. Taylor moved that **SB 499 BE CONCURRED IN.**

01:59:12 Rep. Noonan returned to the room.

01:59:30 **Motion:** Rep. Taylor moved that **SB 499 BE AMENDED.**  
**EXHIBIT**(tah77a14)

**Discussion:**

01:59:46 Mr. Martin

00:59:56 Rep. Jopek left the room.

02:00:31 **Vote:** Motion carried unanimously by voice vote. Rep. Jopek and Rep. Vincent voted by proxy

02:00:54 **Motion:** Rep. Taylor moved that **SB 499 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:01:02 Rep. Barrett

02:01:58 Rep. Jopek returned to the room.

02:02:32 Rep. Butcher

02:03:41 **Vote:** Motion failed 9-11 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

02:05:35 **Motion/Vote:** Rep. Taylor moved that **SB 499 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

**EXECUTIVE ACTION ON SB 503** (first vote - second vote on page 12)

02:06:05 **Motion:** Rep. Taylor moved that **SB 503 BE CONCURRED IN.**

**Discussion:**

02:06:44 Rep. Cohenour

02:07:15 Rep. Taylor

02:07:51 Chairman Lake

02:08:13 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

**EXECUTIVE ACTION ON SB 490**

02:10:51 **Motion:** Rep. Taylor moved that **SB 490 BE CONCURRED IN.**

02:11:08 Mr. Martin suggested a conceptual amendment to address a technical concern in the bill.

02:12:03 **Vote:** The conceptual amendment carried unanimously by voice vote. Rep. Vincent voted by proxy.

02:12:20 **Motion:** Rep. Taylor moved that **SB 490 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:12:31 Rep. Cohenour

02:13:36 Rep. McAlpin

02:13:47 Rep. Stahl

02:14:21 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

**EXECUTIVE ACTION ON SB 503** (second vote)

02:16:06 **Motion:** Rep. Jopek moved that **SB 503 BE CONCURRED IN.**

02:16:38 **Vote:** Motion passed 12-8 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting no. Rep. Vincent voted by proxy. Rep. Stahl will carry the bill.

**EXECUTIVE ACTION ON SB 241**

02:19:35 **Motion:** Rep. Taylor moved that **SB 241 BE CONCURRED IN.**

**Direction:**

02:19:49 Rep. Taylor  
02:20:55 Rep. Wiseman  
02:23:20 Rep. Cohenour  
02:24:20 Chairman Lake  
02:24:38 Rep. Stahl  
02:24:51 Chairman Lake  
02:25:03 Rep. Noonan

02:26:08 **Vote:** Motion failed 9-11 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

02:27:46 **Motion/Vote:** Rep. Cohenour moved that **SB 241 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Vincent voted by proxy.

**EXECUTIVE ACTION ON HJ 32** (second vote)

02:28:01 **Motion:** Rep. McAlpin moved that **HJ 32 DO PASS.**

**Discussion:**

02:28:17 Rep. Sonju  
02:29:01 Rep. Wiseman

02:29:39 **Vote:** Motion carried 14-6 by roll call vote with Rep. Blasdel, Rep. Lake, Rep. Randall, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting no. Rep. Vincent voted by proxy.

**EXECUTIVE ACTION ON SB 244**

02:31:46 Rep. Butcher  
02:32:12 Rep. Cohenour  
02:32:25 Rep. Butcher

02:33:02 **Motion/Vote:** Rep. Butcher moved that **SB 244 BE CONCURRED IN**. Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Rep. Vincent voted by proxy.

02:35:15 Rep Wiseman  
02:36:06 Rep. Cohenour  
02:36:29 Chairman Lake

**ADJOURNMENT**

02:36:42 Adjournment: 11:30 A.M.

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Jennifer O'Loughlin, Secretary

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Additional Documents:

**EXHIBIT ([tah77aad.pdf](#))**